

July 16, 2019

Dear Ms. Sasani:

On July 2 we received your request for “all written and electronic communications, including emails, dated between January 2014 and January 2019 received or sent by Dr. Eben Weitzman pertaining to the subject matter of “Countering Violent Extremism” “CVE” “PEACE Project grants.” This includes any emails about grants from the Department of Justice, Department of Homeland Security, U.S. Attorney’s Office (plus all intermediary organizations administering those grants) that are geared towards ending violent extremism and radicalization.

Dr. Weitzman was listed as a partner in the CVE program in the following document, which is a framework released by the US Attorney’s Office. Dr Weitzman’s name appears on page 17.”

Upon completing the search for the three different terms you identified, we have determined there are 1280 potentially responsive emails. After a cursory review of the 1280 potentially responsive emails, it appears that many are unrelated to your request and some include student educational records. The University of Massachusetts is subject to the federal Family Educational and Privacy Rights Act (20 U.S.C. § 1232g), which generally prohibits an educational institution from releasing a student’s “education records,” as defined. Thus, we are obligated by law to protect and not provide any materials that constitute “education records,” and must review the potentially responsive emails..

Before producing the emails to you, we will have to carefully review each email to determine whether it is subject to any exemption under Chapter 66 of the General Laws that may include and, indeed, whether redactions may be required by law. For example, it is possible that the emails may contain¹:

- Student education records, which are protected by the federal law Family Educational Rights and Privacy Act (“FERPA”) and which are exempt from disclosure pursuant to exemption (a).

At this time, we have made a good faith estimate of the fees necessary to review and produce the records you have requested.

Search:	0 hours at \$25/hour ² =	\$0
Segregate/Redaction:	42 hours at \$25/hour =	\$950 (no charge for the first four hours) ³
Total =		<u>\$950</u>

¹ We have not yet reviewed the emails, so it is possible that they may also contain information subject to additional exemptions not identified here.

² The lowest paid employee qualified to do the work is paid at \$40 per hour. Therefore, we have calculated the good faith estimate using the statutory rate of \$25 per hour.

³ This reflects an average of 2 minutes to read and redact, as needed, each of the 1937 emails.

In order to expedite the production of the records you requested and limit the fees that would be associated with the segregating and potential redactions necessary to meet your request, we suggest you further narrow the scope of your request, by:

- Limiting the date range being searched; and
- Refining and/or limiting the search terms

Under Chapter 66 of the General Laws, you have the right to appeal our disposition of your request to the Supervisor of Public Records, Office of the Secretary of State, pre@sec.state.ma.us and the right to seek judicial review of an unfavorable decision by commencing a civil action in the superior court under subsection (c) of section 10A.

Sincerely,

Matt Fenlon
Public Records Administrator
UMass Boston